

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
DB STRUCTURED PRODUCTS, INC., :
:
Plaintiff, : Civil Action No.:
: 07 CV 4126 (DLC) (KNF)
:
-- against -- :
:
BAYROCK MORTGAGE :
CORPORATION, :
:
Defendant. :
:
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DEFENDANT'S INITIAL DISCLOSURES
PURSUANT TO FED. R. CIV. P. 26(a)(1)

Defendant Bayrock Mortgage Corporation ("Bayrock"), by its attorneys, pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, makes the following initial disclosures:

(A) The name, and if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

Bill Medley, President and CEO of Bayrock, c/o Defendant's counsel, concerning the nature and terms of the loans at issue, Bayrock's obligations, or lack thereof, with respect to the loans, and Bayrock's claims that Plaintiff negligently failed to service the subject loans.

Chris Holland, Vice President of Bayrock, c/o Defendant's counsel, concerning the nature and terms of the loans at issue, Bayrock's obligations, or lack

thereof, with respect to the loans, and Bayrock's claims that Plaintiff negligently failed to service the subject loans.

Chris Holland, Vice President of Bayrock, as Bayrock's custodian or records, c/o Defendant's counsel, to authenticate various documents relevant to the claims and defenses asserted by the parties to this action.

Jimmy Yan and James Campbell, DB Structured Products, Inc., c/o Plaintiff's counsel, concerning the nature and terms of the loans at issue, Plaintiff's obligations to service the loans at issue, and whether such obligations were properly fulfilled.

Plaintiff DB Structured Products, Inc., by its duly appointed representative(s), concerning the transactions at issue, and the claims and defenses asserted by the parties to this action.

All borrowers whose loans are the subject matter of this action, concerning the servicing of the loans, payment of the loans, and status of the loans.

Representatives from the three major credit reporting services concerning the loans at issue.

(B) A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.

Categories of documents:

Seller Loan Purchase Agreements;

Letter Agreements referenced in the Complaint;

All documentation concerning the mortgage loans that are the subject of the Complaint;

Bank Correspondent Seller Guide referenced in the Complaint; and

Correspondence between Plaintiff and Defendant relating to Plaintiff's claims and Defendant's defenses.

(C) A computation of any category of damages claimed by the disclosing party, making available for inspection and copying under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

N/A

(D) For inspection and copying as under Rule 34 of any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

N/A

As to all of the above disclosures, Plaintiffs reserve the right to supplement or correct such disclosures pursuant to Fed. R. Civ. P. 26(e).

Dated: New York, New York
September 7, 2007

FEDER, KASZOVITZ, ISAACSON, WEBER,
SKALA, BASS & RHINE LLP

By: _____/s/_____
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